

1 H. SINCLAIR KERR, JR. (61713)
2 MICHAEL VON LOEWENFELDT (178665)
3 ADRIAN J. SAWYER (203712)
KERR & WAGSTAFFE LLP
4 100 Spear Street, Suite 1800
San Francisco, CA 94105-1528
Telephone: (415) 371-8500
Fax: (415) 371-0500

5 Attorneys for Plaintiff
6 ELECTRONICS FOR IMAGING, INC.

7 GARY R. SELVIN (112030)|
PATRICK M. QUIGLEY(148448)
SELVIN WRAITH HALMAN LLP
500 12th Street, Suite 340
Oakland, CA 94607
Telephone: (510) 874-1811
Fax: (510) 465-8976

11 Attorneys for Defendant
12 ATLANTIC MUTUAL INSURANCE COMPANY

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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17 ELECTRONICS FOR IMAGING, INC.

Case No. C 06-3947 CRB

18 Plaintiff,

**STIPULATION AND [PROPOSED]
ORDER CHANGING DUE DATE FOR
OPENING BRIEF ON ALLOCATION
MOTION FROM APRIL 22, 2007 TO
APRIL 27, 2007**

19 v.

20 ATLANTIC MUTUAL INSURANCE CO.,

Hon. Charles R. Breyer

21 Defendant.

1 WHEREAS, at the case management conference on March 30, 2007, the Court set a May
2 18, 2007 hearing date for a motion to consider whether Atlantic Mutual, having breached its duty
3 to defend EFI, may (1) attempt to allocate EFI's defense costs between covered and noncovered
4 claims against EFI, and (2) challenge the reasonableness of EFI's defense costs;

5 WHEREAS, the parties agreed to brief the motion as a cross-motion, by exchanging
6 opening briefs and opposition briefs, with no further briefing;

7 WHEREAS, the Court has ordered that the parties shall file opening briefs on the above
8 motion on April 22, 2007, and file opposition briefs on May 11, 2007; and

9 WHEREAS, the parties desire to change the due date for opening briefs from April 22,
10 2007 to April 27, 2007, with no other changes to the schedule:

11 IT IS HEREBY STIPULATED THAT the briefing schedule for the motion to be heard
12 May 18, 2007 is as follows:

13 1. The parties' opening briefs shall be due April 27, 2007; and
14 2. The parties' opposition briefs shall be due May 11, 2007.

16 DATED: April 9, 2007

KERR & WAGSTAFFE LLP

17 By _____/s/
18 Michael von Loewenfeldt
19 Adrian J. Sawyer

20 Attorneys for Plaintiff
21 ELECTRONICS FOR IMAGING, INC.

23 DATED: April 9, 2007

SELVIN WRAITH HALMAN LLP

25 By _____/s/
26 Patrick M. Quigley

27 Attorneys for Defendant
28 ATLANTIC MUTUAL INSURANCE COMPANY

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the briefing schedule for the motion to be heard May 18, 2007 is as follows:

1. Opening briefs shall be due April 27, 2007; and
2. Opposition briefs shall be due May 11, 2007.

DATED: April 11, 2007

Hon. Charles R. P.
UNITED STATES

Hon. Charles R. Bass
UNITED STATES

Judge Charles R. Breyer

1 I, Adrian J. Sawyer, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Regarding Confidentiality. In compliance with General Order
3 45, X.B., I hereby attest that Patrick M. Quigley, attorney for Defendant, Atlantic Mutual
4 Insurance Co., has concurred in this filing.

5 DATED: April 9, 2007

6 **KERR & WAGSTAFFE LLP**

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8 By _____/s/
9 ADRIAN J. SAWYER

10 Attorneys for Plaintiff
11 ELECTRONICS FOR IMAGING, INC.

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